

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**San Jose Venue**

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**Report on Offender Under Supervision**

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**Name of Offender**

Christian Bamber

**Docket Number**

0971 5:17CR00182-001 EJD

**Name of Sentencing Judge:** The Honorable Donald W. Molley  
U.S. District Judge  
District of Montana

**Date of Original Sentence:** November 9, 2015

**Original Offense:**

Count One: Conspiracy to Possess and Intent to Distribute and Distribution of Cocaine, 21 U.S.C. § 846 & 841(a)(1), a Class B Felony.

**Original Sentence:** Time Served followed by five years supervised release

**Special Conditions:** \$100 special assessment; substance abuse testing and treatment; mental health counseling; search; abstain from alcohol and not enter establishments where alcohol is the primary item of sale; not purchase, possess, use, distribute or administer marijuana; not ingest or inhale any toxic substances; not possess firearm or any other weapon; DNA collection.

Transfer of Jurisdiction from the District of Montana to the Northern District of California became effective April 10, 2017.

**Prior Form(s) 12:** None

**Type of Supervision**

Supervised Release

**Assistant U.S. Attorney**

To be assigned

**Date Supervision Commenced**

November 10, 2015

**Defense Counsel**

To be assigned

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## **Petitioning the Court to Take Judicial Notice**

### **Cause**

#### Charge Number

#### Violation

One

There is probable cause to believe that the offender violated the general condition that states the defendant shall not commit another federal, state, or local crime.

On November 5, 2016, the Gilroy Police Department was dispatched to a vandalism call. The victim stated she received a call from her ex-boyfriend, who was in the process of moving and using her pick-up truck. He stated, to his ex-girlfriend, that the offender had come to the victim's house and damaged an exterior wall light with a golf club. Upon arriving back at her home, the victim confirmed the light was broken. She went to the offender's home to confront him about the damaged light. Upon opening the door the victim stated the offender was holding a golf club. She described him as being excited and apologized for breaking the light. Upon being notified that she would contact the police, the offender offered to pay for the damages. Later that day, the victim was in her kitchen when she heard her garage open and yelling coming from the garage. She walked outside and saw the offender swinging a golf club at her ex-boyfriend. The victim described her ex-boyfriend as shielding himself with the driver door of her pick-up truck. The victim saw the offender swing the golf club and then heard the shatter of glass. She stated she did not see the actual impact due to the pick-up being parked next to another vehicle, which obstructed her view. The driver side door window of her pick-up truck was shattered. The offender fled the scene.

On November 11, 2016, the offender was contacted by the Gilroy Police Department via telephone. The offender stated to the officer he was jumped by the ex-boyfriend and his friends in the garage of the victim's home. The offender stated he was called over to the garage by the ex-boyfriend. Once inside, he was assaulted by the ex-boyfriend and his friends. Fearing he was going to be locked in the garage, he fled and ran across the street to his home. He later heard loud pounding on his door and feared it was the individuals who assaulted him. Upon opening the door, he realized it was the victim. He apologized for breaking the window and light. The officer asked him why he used the golf club. He responded he had it for protection, but did not elaborate as to why he broke the items. He did state to the officer the items had both been paid for. The offender stated he suffered injuries during the attack, but did not want to file charges against the ex-boyfriend.

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On December 21, 2016, the Santa Clara County Superior Court Docket Number F1663008 filed charges against the offender for a violation of California Penal Code (C.P.C.) 594(B)(2)(A) – Vandalism, a misdemeanor, and an arrest warrant was issued. On January 10, 2017, the offender self-surrendered and was booked on the charges and released pending a court date.

On February 10, 2017, the offender was convicted in Santa Clara County Superior Court Docket Number F1663008 to violating C.P.C. 415(2) – Disturbing the Peace, misdemeanor. He was sentenced to two years court probation and a restitution/fine of \$165.00.

### **Action Taken and Reason**

On November 10, 2016, the offender contacted the probation office to report he had been contacted by the Gilroy Police Department regarding the above detailed incident. He stated he would be contacting the detective assigned to the case to cooperate with the investigation.

On November 29, 2016, the offender was contacted at home to discuss the details of the event and the pending investigation at that time. He was open about the event and provided details consistent with the police report. He admitted he acted without thinking given the assault he had been involved in. He reported he and his mother had paid the victim for the damages. We discussed at length the options he had to resolve the event, not resulting in violence.

The offender's substance abuse counselor was contacted following these events and his cognitions were further addressed by his counselor and this officer. On May 24, 2017, the offender successfully completed his substance abuse testing and treatment requirement.

The probation office recommends the Court take Judicial Notice, as the offender reported the event in a timely manner, was open and truthful about the event, and completed substance abuse testing and treatment. He has since moved out of the neighborhood where the incident took place and changed jobs from being a laborer to working in the marketing department for a software company.

Respectfully submitted,

Reviewed by:



Juan F. Ramirez  
U.S. Probation Officer Specialist  
Date Signed: October 16, 2017

Amy Rizor  
Supervisory U.S. Probation Officer

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THE COURT ORDERS:

- ☒ The Court concurs and takes judicial notice
- ☐ Submit a request to modify supervision
- ☐ Submit a request for a warrant
- ☐ Submit a request for summons
- ☐ Other:

10/17/2017

Date



The Honorable Edward J. Davila  
United States District Judge